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09/354,602	07/16/1999	MICHAEL D. ELLIS	UV-115	5361

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EXAMINER	
SHANG, ANNAN Q	
ART UNIT	PAPER NUMBER
2614	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/354,602	ELLIS ET AL.	
	Examiner	Art Unit	
	Annan Q Shang	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 July 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-95* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-95* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see Remarks, filed 07/22/04, with respect to the rejection(s)of claim(s) 1-98 under **Hendricks et al (6,515,680)** in view of **Thompson et al (5,644,775)** have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is discussed below over **Shoff et al (6,240,555)** in view of **W3C Internationalization/Localization (W3C, 04-29-97).**

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-12, 14-15, 18-19, 22-30, 32-44, 46-47, 50-51, 54-62, 64-76, 81, 84-93 and 95 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Shoff et al (6,240,555)** in view of **W3C Internationalization/Localization (W3C, 04-29-97).**

As to claim 1, note the **Shoff et al** reference figures 1, 2 and 8, disclose interactive entertainment system for presenting supplemental interactive content together with continuous video programs and further disclose a system in which a television program having a plurality of associated tracks having content is distributed to

a plurality of users (Viewer Computing Unit (VCU) 24 or set-top box (STB) 26), and where the content of each track is in a language and the content of at least two different tracks are in different languages, the system comprising the following:

the claimed "an interactive television program guide having various functions..." is met by Interactive Electronic Program Guide (IPG) of figure 8 (col. 4, lines 14-42), which is implemented on an interactive television (ITV) system 20, includes various functions (col. 4, lines 35-42) and implemented on a Viewer Computing Unit (VCU) 24 or set-top box (STB) 26 "user television equipment"; where the EPG displays screen text for each of the various functions on Screen 200 of TV 28 "at least one program guide display screen" on VCU/STB 24/26 coupled to TV 28 and the VCU/STB 24/26 plays the television program and an associate audio track (col. 4, line 62-col. 5, line 11);

the claimed "means for providing program guide display screen text in one or more language..." and "means for displaying program guide display screen text on the user television equipment using the interactive program guide..." is met by Processor 92 (col. 8, lines 4-51), which is a means for providing EPG Screen text 200 in ENGLISH to the IPG and a means for displaying Screen Text 200 on TV 28 of VCU/STB 24/26 using the IPG and playing ENGLISH track in the VCU/STB 24/26.

Shoff teaches constructing or organizing hypertext file or hypermedia as documents with embedded control information (col. 5, lines 34-48), but fails to explicitly teach a means for providing plurality of languages to the interactive television guide, a means for providing a user with an opportunity to select a language using the interactive

television program guide and a means for selecting one or more tracks having content in the language selected by the user for playing by the user television equipment.

However, note the **W3C** printed publication discloses putting languages attributes in HTML or documents to enable a user to interactive with the document or appropriate text to select a desired language (pages 1-2), and where the user equipment includes a language selector that enables the user to perform the necessary language selection.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of W3C into the system of Shoff to include language attributes in the IPG text, a language selector to enable the user to select a desired language for the IPG text and its corresponding audio tracks in the selected language, thereby providing multiple language IPG text and corresponding audio tracks to enable various users world wide to read PG-Text in a desired language and play the corresponding audio accordingly.

As to claim 2, Shoff further discloses providing PG-Text in English to IPG and comprises providing PG-Text in a continuous data stream having PG-Text in English language and playing the audio track, fails to explicitly PG-Text in the language selected by the user and PG-Text in a language other than the language selected by the user and filtering the PG-Text in the language other than the language selected by the user out of the continuous data stream.

However, note W3C teaches adding different language links to documents or HTML to enable a user to select different languages as discussed in claim 1.

As to claims 3 and 4, Shoff further discloses providing English PG-Text to IPG in response to a demand generated by IPG and providing an English PG-Text and playing English audio track (col. 5, line 49-col. 6, line 6), but fails to explicitly teach PG-Text in the language selected by the user and PG-Text in a language other than the language selected by the user and filtering the PG-Text in the language other than the language selected by the user, which has been previously discussed in the rejection of claim 2.

As to claims 5-7, Shoff further indicates an English Language PG-Text by displaying a text in English using the IPG and playing only English language audio for the video by the user (col. 5, line 49-col. 6, line 6), but fails to display PG-Text in a language besides English, which has been previously discussed with respect to claim 2.

As to claim 8, Shoff further indicates an English Language PG-Text by displaying a text in English using the IPG and playing only English language audio for the video by the user (col. 5, line 49-col. 6, line 6), but fails to explicitly teach selecting a language besides English and extracting PG-Text in the selected language.

However, W3C teaches allowing a user to select a language as previously discussed with respect to claim 1.

As to claim 9, Shoff further teaches where the IIPG is programmed with compressed PG-Text in English and decompressing the compressed program PG-Text that is programmed into IPG (col. 5, lines 12-42 and col. 5, line 49-col. 6, line 6), but fails to explicitly teach displaying PG-Text in a selected language by the user, which is met as previously discussed with respect to claim 2.

As to claims 10-12, Shoff further teaches Processor 92 provides a user with the opportunity to access PG functions, by interactive with the IPG text and displays the English PG-Text using IPG in English language and displaying PG-Text in the selected television program and displaying PG-Text using IPG in English language and other various English Text messages relating (col. 5, lines 12-23, col. 6, lines 7-28, col. 7, lines 51-60, col. 9, line 41-col. 10, line 6 and lines 59+).

Shoff fails to explicitly teach displaying PG-Text in the language selected by the user and PG-Text that is not related to the language selected and also related to the television program.

However, note W3C teaches adding different language text and links to documents or HTML (W3C page 2, lines 10+) to enable a user to select different languages, note that one language text is not related to the other.

Therefore it would have been clearly obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of W3C into the system of Shoff to extract English PG-Text and convert to the PG-text of the selected language, to provide foreign language PG-Text to the user to enable user read from the PG-Text and furthermore to provide PG-Text or various screen text that is not related or related to the television program to further enable the user to access additional information related to the program in an alternate language, or to enable the user to select other programs from PG-Text not related to the selected language, and furthermore providing the user with additional information to enhance the PG-Text.

As to claims 14 and 15, Shoff further teaches where the track associated with the television program is an analog audio track or segments carrying audio and the user interacts with IPG to select and tracks or audio for various video, such as various program(s) 210, Merchandise picture 240, etc., (fig. 8c and col. 5, line 49-col. 6, line 29), and uses the IPG, but fails to explicitly teach means for selecting one or more tracks having the content in the language selected for playing by the user television equipment.

However, W3C teaches this limitation which as being discussed with respect to claims 1 and 2.

Claim 18, is met as previously discussed with respect to claim 15.

Claim 19, is met as previously discussed with respect to claim 15.

As to claims 22-26, Shoff teaches displaying time and date in format associated with the English PG-Text, but fails to explicitly teach displaying currency in a currency, time and date, parental rating in parental rating format, associated with the language selected and displaying languages in which audio for the program is available.

However, W3C teaches putting different language attributes to a whole document, which will include currency, time and date and parental control rating if incorporated in the document and displays languages available on the hyperlinks to the document (page 2, lines 10+) to enable the user to interact to retrieve and display the document in the language desired.

Therefore it would have been clearly obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of W3C into the system of Shoff to

provide different language EPG text besides English and include currency, time to enable user read from the PG-Text and access information, with respect to currency, time and date, parental control in the selected language accordingly and further display languages for which audio tracks are available to enable the user to access to retrieve the desired audio tracks with the various video programs.

Claim 27-30, are met as previously discussed with respect to claims 22-26.

As to claim 32, Shoff further teaches displaying English PG-Text "first language" on TV 222 and further teaches a various IPG or English PG-Text that are different from each other (figs. 8b and 8c), but fails to explicitly teach a second language PG-Text, where the first portion of English PG-Text is similar to a first portion of the PG-Text in the second language, where at a least a second portion of the PG-Text in the English PG-Text is different from a second portion of the PG-Text in the second language and providing the second language PG-Text portion in a second language.

However, W3C teaches putting different language attributes to a whole document, which will include currency, time and date and parental control rating if incorporated in the document and displays languages available on the hyperlinks to the document (page 2, lines 10+) to enable the user to interact to retrieve and display the document in the language desired.

Therefore it would have been clearly obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of W3C into the system of Shoff to convert to the PG-text of a second language, to provide a foreign language PG-Text to the user converting on to enable user read from the PG-Text and access information, in

the selected language accordingly, note further that at least a first portion of the English PG-Text will be similar to English PG-Text, since the same text on-screen was changed to the second language PG-Text, and furthermore at least second portion of the English PG-Text will be different than any specific language PG-Text selected by the user besides the English PG-Text).

As to claim 33, note the **Shoff et al** reference figures 1, 2 and 8, disclose interactive entertainment system for presenting supplemental interactive content together with continuous video programs and further disclose a method in a system an interactive program guide (IPG) equipment having user television equipment (Viewer Computing Unit "VCU" 24 or Set-top box "STB" 26), and in which a television program having a plurality of associated tracks having content is distributed to a plurality of users, and where the content of each track is in a language and the content of at least two different tracks are in different languages, the system comprising the following:

the claimed "providing program guide display screen text in one or more language..." and "displaying program guide display screen text on the user television equipment using the interactive program guide..." is met by Processor 92 (col. 4, lines 14-42 and col. 8, lines 4-51), which provides EPG Screen text 200 in ENGLISH to the IPG and displays EPG Screen Text 200 on TV 28 of VCU/STB 24/26 using the IPG and plays an ENGLISH audio track.

Shoff teaches constructing or organizing hypertext file or hypermedia as documents with embedded control information (col. 5, lines 34-48), but fails to explicitly teach providing plurality of languages to the interactive television guide, providing a user

with an opportunity to select a language using the interactive television program guide and selecting one or more tracks having content in the language selected by the user for playing by the user television equipment.

However, note the **W3C** printed publication discloses putting languages attributes in HTML or documents to enable a user to interactive with the document or appropriate text to select a desired language (pages 1-2), and where the user equipment includes a language selector that enables the user to perform the necessary language selection.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of W3C into the system of Shoff to include language attributes in the IPG text, a language selector to enable the user to select a desired language for the IPG text and its corresponding audio tracks in the selected language, thereby providing multiple language IPG text and corresponding audio tracks to enable various users world wide to read PG-Text in a desired language and play the corresponding audio accordingly.

Claim 34, is met as previously discussed with respect to claim 2.

Claims 35 and 36, are met as previously discussed with respect to claims 3 and 4.

Claims 37-39, are met as previously discussed with respect to claims 5-7.

Claim 40, is met as previously discussed with respect to claim 8.

Claim 41, is met as previously discussed with respect to claim 9.

Claims 42-44 are met as previously discussed with respect to claims 10-12.

Claims 46 and 47 are met as previously discussed with respect to claims 14

and 15.

Claim 50, is met as previously discussed with respect to claim 18.

Claim 51, is met as previously discussed with respect to claim 19.

Claims 54-57, is met as previously discussed with respect to claim 22-26.

Claim 58, is met as previously discussed with respect to claim 26.

Claim 59-62, is met as previously discussed with respect to claim 27-30.

Claim 64, is met as previously discussed with respect to claim 32.

As to claim 65, note the **Shoff et al** reference figures 1, 2 and 8, disclose interactive entertainment system for presenting supplemental interactive content together with continuous video programs and further disclose a system in which a television program having a plurality of associated tracks having content is distributed by a television distribution facility for display by user television equipment (Viewer Computing Unit (VCU) 24 or set-top box (STB) 26) of a plurality of users, and where the content of each track is in a language and the content of at least two different tracks are in different languages, the system comprising the following:

the claimed "an interactive television program guide equipment having user television equipment" is met by Viewer Computing Unit (VCU) 24 or set-top box (STB) 26 (col. 4, lines 14-42), which is an interactive television program guide equipment coupled to Television (TV) 28, where IPG is implemented on VCU/STB 24/26 and TV 28 and configured to:

the claimed "display program guide display screen text on the user television equipment using the interactive program guide..." is met by Processor 92 (col. 8, lines

4-51), which provides EPG Screen text 200 in ENGLISH to TV 28 of VCU/STB 24/26 using the IPG and plays ENGLISH track in the VCU/STB 24/26;

the claimed "a main facility configured to provide program guide display screen text in one or more language...," is met by Centralized Headend (HE) 22 (fig. 2 and col. 4, lines 14-22), which provides EPG Screen Text 200, in ENGLISH to TV 28 of VCU/STB 24/26;

Shoff teaches constructing or organizing hypertext file or hypermedia as documents with embedded control information (col. 5, lines 34-48), but fails to explicitly provide a user with an opportunity to select a language using the interactive television program guide and a user television equipment comprising an audio selector configured to select one or more tracks having content in the language selected by the user for playing by the television equipment.

However, note the **W3C** printed publication, teaches putting languages attributes in HTML or documents to enable a user to interactive with the document or appropriate text to select a desired language (pages 1-2) and where the user equipment includes a language selector that enables the user to perform the necessary language selection.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of W3C into the system of Shoff to include language attributes in the IPG text, a language selector to enable the user to select a desired language for the IPG text and its corresponding audio tracks in the selected language, thereby providing multiple language IPG text and corresponding audio tracks

to enable various users world wide to read PG-Text in a desired language and play the corresponding audio accordingly.

Claim 66, is met as previously discussed with respect to claim 2.

Claims 67 and 68 are met as previously discussed with respect to claims 3 and 4.

Claims 69-71 are met as previously discussed with respect to claims 5-7.

Claim 72, is met as previously discussed with respect to claim 8.

Claim 73, is met as previously discussed with respect to claim 9.

Claims 74-76 are met as previously discussed with respect to claims 10-12.

Claim 78 is met as previously discussed with respect to claims 14 and 15.

Claim 81, is met as previously discussed with respect to claim 17.

Claims 84-87 are met as previously discussed with respect to claim 22-26.

Claim 88 and 89, are met as previously discussed with respect to claim 26.

Claim 90-93, are met as previously discussed with respect to claim 27-30.

Claim 95 is met as previously discussed with respect to claim 32.

4. Claims 13, 45 and 77, are rejected under 35 U.S.C. 103(a) as being unpatentable over **Shoff et al (6,240,555)** in view of **W3C Internationalization/Localization (W3C, 04-29-97)** as applied to claims 1, 33 and 65 above, and further in view of **Shaffer et al (6,240,170)**.

As to claims 13, 45 and 77, Shoff as modified by W3C teach all the claim limitation as previous discussed with respect to claims 1, 33 and 65 respectively, but

fails to explicitly teach providing the user with opportunity to confirm the user's selection of a language.

However, note **Shaffer** reference figure 3, disclose method and apparatus for automatic language mode selection that offer the user the opportunity to confirm the language selection (col. 2, lines 50-66 and col. 3, lines 12-23).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Shaffer into the system of Shoff as modified by W3C to inform the user of his or her selection and confirm the selection, to enable the user to receive the appropriate selected language.

5. Claims 16-17, 20-21, 48-49, 52-53, 79-80 and 82-83 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Shoff et al (6,240,555)** in view of **W3C Internationalization/Localization (W3C, 04-29-97)** as applied to claims 1, 33 and 65 above, and further in view of **Hendricks et al (6,515,680).**

As to claims 16 and 17, Shoff as modified by W3C teach selecting language for playing using the IPG, but fail to explicitly teach where the user selects without activating the IPG.

However, note the **Hendricks et al** reference figures 28g and 29g, disclose a viewer interface for a television program delivery system and further disclose the user can directly communicate via telephone to Headend 208 to request for a specific language to a particular program, i.e., "without activity from the interactive television

program guide" to receive the specific foreign language requested (col. 10, lines 3-26, lines 47-61, col. 11, line 54-col. 12, line 32 and lines 58-66).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Hendricks into the system of Shoff as modified by W3C to provide an alternate means for requesting for specific service from a Headend without any interaction with the IPG and provide services to user not equipped with an interactive equipment or STB.

Claims 20 and 21 are met as previously discussed with respect to claims 16 and 17.

Claims 48 and 49 are met as previously discussed with respect to claims 16 and 17.

Claims 52 and 53 are met as previously discussed with respect to claims 16 and 17.

Claims 79 and 80 are met as previously discussed with respect to claims 16 and 17.

Claims 82 and 83 are met as previously discussed with respect to claims 16 and 17.

6. Claims 31, 63 and 94 rejected under 35 U.S.C. 103(a) as being unpatentable over **Shoff et al (6,240,555)** in view of **W3C Internationalization/Localization (W3C, 04-29-97)** as applied to claims 1, 33 and 65 above, and further in view of **Cookson et al (6,487,365).**

As to claims 31, 63 and 94, Shoff as modified by W3C by Thompson teach all the claimed limitation as previously discussed with respect to claims 1, 33 and 65 respectively, but fails to explicitly teach selecting a subtitle track having subtitles in the language selected by the user for playing by the user television equipment.

However, note **Cookson et al** reference discloses multiple dialog languages that is recorded on separate audio tracks and selecting subtitles of a language for playing.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Cookson into the system of Shoff as modified by W3C to provide subtitles for easy selection of languages.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hendricks et al (5,990,927) disclose advance set top terminal for cable television delivery systems.

Lockwood (5,576,951) discloses automated sales and services system.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Annan Q Shang** whose telephone number is **703-305-2156**. The examiner can normally be reached on **700am-500pm**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **John W Miller** can be reached on **703-305-4795**. The fax phone number for the organization where this application or proceeding is assigned is **703-872-9306**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the **Electronic Business Center (EBC) at 866-217-9197 (toll-free).**

AS

Annan Q. Shang.

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